

(58) Chapter 56, Section 5601.1.3 (Fireworks) of the *IFC*, is revised, with the exceptions remaining, to read: "The storage, use, and handling of fireworks is prohibited except as allowed in this section and AS 18.72.";

(59) Chapter 56, Section 5601.1 (Scope) of the *IFC*, is revised by adding a new Section 5601.1.6 to read: "5601.1.6 Permit required. No person shall sell fireworks, possess, or transport fireworks for sale, conduct a fireworks display described in Section 5608, or possess, transport, or test dangerous fireworks for such a display, unless the person holds a valid permit or license under this section, and the activity is conducted in accordance with AS 18.72 and this chapter.";

(60) Chapter 56 of the *IFC* is revised by deleting Section 5601.2 (Permit required), Section 5601.2.4 (Financial responsibility), and Section 5601.2.4.2 (Fireworks display);

(61) Chapter 56, Section 5601.2.2 (Sale and retail display) of the *IFC*, is revised by deleting the words "explosives, explosive materials or fireworks" and inserting in their place "explosives and explosive materials";

5608 of the *IFC*, is revised by changing the section heading to read: "FIREWORKS RETAIL SALES AND DISPLAYS";

(63) Chapter 56, Section 5608.1 (General) of the *IFC*, is revised by adding a second paragraph to read: "Retail sales of salable fireworks must comply with Section 5608.11.";

(64) Chapter 56, Section 5608.2 (Permit application) of the *IFC*, is revised to read: "5608.2 Permit application.

(a) The following licenses or permits are required to conduct activity described in Section 105.6.14 (Explosives):

(1) a wholesaler's license, as described in AS 18.72, to sell, or possess for sale, 1.4G or 1.3G fireworks at wholesale;

(2) a retailer's permit, as described in AS 18.72, for each location where the applicant intends to sell, or possess for sale, 1.4G fireworks at retail;

(3) a pyrotechnic operator's permit to conduct a fireworks display or non-routine testing of 1.3G fireworks, or to possess fireworks for display or non-routine testing of 1.3G fireworks;

(4) a fireworks event permit for each event involving public or private display of any amount of 1.3G fireworks or 250 gross pounds (113.4 kg) of salable fireworks; or

(5) an annual permit for routine testing of 1.3G fireworks.

(b) A license or permit under (a)(1) - (4) of this section must be obtained from the division of fire and life safety. A permit under (a)(5) of this section may be obtained from the division of fire and life safety or, on a form approved by the state fire marshal, from the fire chief of the fire department in the jurisdiction where the testing will occur.

(c) An application for a license or permit under (a)(1) - (4) of this section must be received by the division of fire and life safety 14 days before the activity is scheduled to occur. A permit under (a)(5) of this section must be issued before the routine testing occurs.

(d) Applications for a license or permit must include

(1) for a license or permit under (a)(1) or (2) of this section, proof of insurance as required and in the amount set out in AS 18.72.020; or

(2) for a permit under (a)(3) - (5) of this section, a certified copy of a policy of public liability and products liability insurance, including both accident and occurrence insurance, for not less than \$1,000,000 for bodily injury and death, and not less than \$500,000 for property damage.

(e) An application for a retailer's permit under (a)(2) of this section or for a fireworks event permit under (a)(4) of this section must include a plan and drawings, satisfactory to the state fire marshal, showing and describing the sales location or display site.

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(f) An application for a pyrotechnic operator's permit under (a)(3) of this section must include proof satisfactory to the state fire marshal that the applicant

- (1) has passed a written examination administered by the state fire marshal; and
- (2) has participated as an assistant to a licensed or permitted pyrotechnic operator in six displays in this state for which the division of fire and life safety has issued a permit under (a)(4) of this section, or holds a valid pyrotechnic operator's permit or license from another state.

(g) An applicant for a fireworks event permit under (a)(4) of this section or for a testing permit under (a)(5) of this section must hold a valid pyrotechnic operator's permit under (a)(3) of this section.";

(65) Chapter 56, Section 5608.2 (Permit application) of the *IFC*, is revised by adding a new Section 5608.2.3 to read: "5608.2.3 Revocation and suspension. A permit for the retail sale of salable fireworks is void if the intended place of sale or use of the permit is within a jurisdiction that, by ordinance, has prohibited the sale or use of fireworks or if the permit holder sends, transports, or delivers fireworks to a jurisdiction that by ordinance has prohibited the sale or use of fireworks.

The state fire marshal may revoke a permit or license if

1. the permittee or licensee fails to comply with a notice of violation and order to correct on or before the date set in the order;
2. the permittee or licensee is cited more than one time for the same violation of AS 18.72 or the fire code regulations in this chapter in the same calendar year; or
3. the permittee or licensee conducts business in a way that presents an immediate threat to life or property.

If a permit or license is revoked, the permittee or licensee may file a written appeal to the state fire marshal, who will review the revocation and issue a written decision within 10 days after the appeal. The appeal must be postmarked within seven days following the date of receipt of the revocation. Once a permit or license is revoked, the permittee or licensee may not apply for or be granted a new permit or license for the sale, use, or display of fireworks for one year from the date of revocation.";

(66) Chapter 56, Section 5608.6 (Installation of mortars) of the *IFC*, is revised by adding a new Section 5608.6.1 to read: "5608.6.1 Mortar construction. Mortars must be constructed of paper, high density plastic pipe, or metal other than cast iron.";

(67) Chapter 56, Section 5608 of the *IFC*, is revised by adding a new Section 5608.11 to read: "5608.11 Retail sale of salable fireworks. Retail sales of salable fireworks as described in AS 18.72 must be conducted in accordance with this section.

5608.11.1 Dedicated structure or stand. Salable fireworks may be sold only from a dedicated structure or stand that has exits meeting the requirements of Chapter 10 of the *International Building Code (IBC)*, as adopted by reference in 13 AAC [50.020](#).

Exception: Structures meeting the criteria of Group H-1 occupancy as established by the *IBC* are exempt from the requirements of Section 5608.11.1.

5608.11.2 Fire extinguishers. Portable fire extinguishers that meet the criteria of Section 906.2 must be provided.

5608.11.3 Placard. A placard setting out the language of [AS 41.15.070](#), 41.15.140, and 41.15.160 must be prominently displayed.

5608.11.4 Sales. The sale of salable fireworks may not take place within 250 feet of a place of residence or public assembly.

5608.11.5 Special fireworks. Special fireworks (1.3) may not be stored or offered for sale at a retail sales location.

5608.11.6 Use or discharge. Fireworks of any class may not be used or discharged within 250 feet (76.2 m) of a retail sales location.

5608.11.7 Right-of-way. Retail sales locations may not be located on a highway or utility right-of-way.

5608.11.8 Display of permit or license. The retail sales permit or license must be conspicuously displayed at the sales location.

5608.11.9 Age of employee. A person under the age of 18 years may not be employed where fireworks are sold or stored.

5608.11.10 Age of purchaser. Fireworks may not be sold to person under the age of 18 years.

5608.11.11 Prohibition. Fireworks may not be sold to a person who is or appears to be intoxicated or otherwise chemically impaired.

5608.11.12 Storage. Salable fireworks, class 1.4G (Class C common fireworks) must be stored as follows:

1. Storage at retail sites must be in a type 4 or higher rated magazine;
2. Except as provided in paragraph 3 of Section 5608.11.12, storage must be a minimum of 40 feet from property lines or any inhabited building. The dedicated structure or stand used for selling fireworks is excluded;
3. Storage must be a minimum of 250 feet from a place of residence or public assembly building;

4. Storage may not be located on a highway or utility right of way;
5. Storage at any site except approved retail locations must be in accordance with the requirements for low explosives in Section 5604.3.2.

5608.11.13 Permitted sales location. All 1.4G fireworks must be sold from the location specified in the permit application.

5608.11.14 Suspension of sales and use. The sale or use of fireworks may be suspended by the state fire marshal in any area where the Department of Natural Resources has declared the wild fire danger to be high/extreme or depleted resources.";

(68) Chapter 57, Section 5704.3.5 (Storage in control areas) of the *IFC*, is revised by deleting Section 5704.3.5.1 (Basement storage);